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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Naoki KANIE

Group Art Unit: 1795

Application No.: 10/591,026

Examiner: A. CHUANG

Filed: August 29, 2006

Docket No.: 129234

For: FUEL CELL SYSTEM AND METHOD OF CONTROLLING THE SYSTEM

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the August 7, 2008 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 1-7 and 10 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2004/ 0013919 (Ueda I). Applicant respectfully traverses the rejection.

Ueda I does not disclose diluting fuel gas that is discharged from a fuel cell with an oxidizing gas by "changing the supplied quantity of the oxidizing gas when an abnormality of the discharge means is detected," as recited in claims 1 and 10. Ueda I discloses a hydrogen purge control apparatus that estimates the hydrogen concentration at the outlet (12b) of the purged hydrogen dilution chamber (12) to determine the performance of the urged hydrogen dilution device (10) (paragraph [0044]-[0046]). Then, when hydrogen concentration reaches a predetermined concentration, operation of the purge valve (6) is restrained so that the amount of the purged hydrogen gas purged from the fuel cell stack is decreased (paragraph